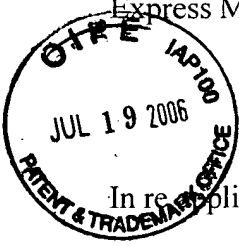


Express Mail Label No. EV 912 289 139 US

PATENT APPLICATION
Docket No: 13914.380.1.1.1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

William T. Dalebout et al.

Serial No.:

10/083,453

Filing Date:

February 26, 2002

Confirmation No.:

8307

For:

Fold-Out Treadmill

Examiner:

Glenn E. Richman

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) Art Unit
) 3764
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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

Mail Stop: RCE
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed listed references are disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which

the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

Statement of Relevance of References Listed
Unaccompanied by English Translation
Under 37 C.F.R. § 1.98 (a)(3)

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof that is not a US patent document is also enclosed.

Document Number	Publication Date	Country/Patent Office	Relevance of Document
2 225 342	12/1973	Germany	As shown in Figures 1 and 2, the patent relates to use of a compressionable cylinder or spring.
2 408 052	12/1973	Germany	As shown in Figures 1 and 2, the patent relates to use of a compressionable cylinder or spring.
3601184 A1	1/1986	Germany	As shown in Figures 2 and 3, the patent relates to treadmills.
1044355	11/1954	Germany	As shown in Figures 1 and 2, the patent relates to treadmills.
1057928	5/1957	Germany	As shown in Figures 1-3, the patent relates to treadmills.
238211	1993	China	As shown in Figure 1, the patent relates to treadmills.
222239	1993	China	As shown in Figure 1, the patent relates to treadmills.
223261	1993	China	As shown in Figures 1, the patent relates to rotating belt treadmill type devices.
825122	07/1977	Russian Federation	As shown in Figure 1, the patent relates to rotating belt treadmill type devices.
1248615A1	07/1986	U.S.S.R.	As shown in Figure 1, the patent relates to foldable or movable exercise equipment.
1297879 A1	2/1985	U.S.S.R.	As shown in Figures 1 and 2, the patent relates to treadmills.
740943	8/1932	France	As shown in Figures 1 and 2, the patent relates to treadmills.
1432392	2/1965	France	As shown in Figure 1, the patent relates to exercise equipment

			and adjustable bases.
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French Patent No. 2527457-A, Issued 5/28/1982: Rolling mat for leg exercises – has user supported by harness hooked to two rods and having chest and neck straps. The rolling mat (1) moves freely over rollers (4,5) towards the front. The movement is regulated by an inertial weight in the front roller (5). The user is supported on the mat by a harness and his body leans on a chest strap (32) suspended from a strap (33) round his neck.

The sides of the harness (31) are hooked on to two rods (21) at an oblique angle, sloping backwards. For storage, the rods can be folded forwards. The apparatus can also be used in a vertical position.

French Patent No. 2677257-A1, Issued 6/6/1991: Walking, jogging and running on-the-spot machine – has electronic unit giving information regarding user performance, with ratchet mechanism preventing forward motion of endless belt. The exercise machine is housed in a chassis. A continuous rolling road band (21) is mounted on drive cylinders (13), and driven round by them. The drive speed can be adjusted by movement of an arm attached to a cam control which can be controlled by the user.

A rear section (4) houses the electronics. The speed of the rolling road is timed by a computer to display the pace of the user, and the pace can be adjusted from the computer.

ADVANTAGE: Allows running exercises to be carried out on spot, leaving arms and body free to balance.

Japan PCT Patent No. WO 81/01960, Issued 7/23/1981: Running Machine. Running machine which can move in the same manner that the entire body and limbs move to run, and run at a high speed including acceleration and deceleration selected by a runner, and incorporates an endless movable belt moving backwardly as the user runs, in order to safely obtain the running

exercise effect. This machine consists of first means for longitudinally elastically supporting the runner's abdomen or waist at a supporting base to thereby apply the motion of the upper body to the machine, and second means for limiting the ratio of the runner's inertia to the mechanical exercise system's inertia to a predetermined range to thereby stabilize the running exercise. In order to render the running feeling close to that of natural running, the mechanical loss of the mechanical exercise system is reduced to as great an extent as possible. Compensating the residual mechanical loss by an electromotive force is practical and economical.

Dated this 12 day of July, 2006.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M. Ballard', with a stylized flourish extending from the end.

Michael M. Ballard
Attorney for Applicants
Registration No. 54,978
Customer No. 022913
Telephone No. 801.533.9800

Applicant: William T. Dalebout et al.
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 Art Unit: 3764



INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

U.S. Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Issue Date/ Publication Date</u>	<u>Name</u>
_____ 1	D211,801	07/30/68	Quinton
_____ 2	D217,173	04/1970	Frasier
_____ 3	D218,107	7/1970	Feather et al.
_____ 4	D219,744	01/1971	Hesen
_____ 5	D270,555	09/1983	Ogden
_____ 6	D277,304	01/1985	Smith et al.
_____ 7	D280,002	08/1985	Smith
_____ 8	D283,239	04/1986	Smith et al.
_____ 9	D284,597	07/1986	Smith et al.
_____ 10	D289,668	05/1987	Gremontprez et al
_____ 11	D291,821	09/1987	Kiiski
_____ 12	D299,669	1/1989	Harter
_____ 13	D300,046	2/1989	Armstrong et al.
_____ 14	D304,849	11/1989	Watterson
_____ 15	D306,468	03/1990	Watterson
_____ 16	D306,891	03/1990	Watterson
_____ 17	D313,826	01/1991	Birrell
_____ 18	D315,765	03/1991	Measom et al
_____ 19	D316,124	04/1991	Dalebout et al
_____ 20	D318,086	07/1991	Bingham et al.
_____ 21	D323,009	01/1992	Dalebout et al

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_____ 22	D323,198	01/1992	Dalebout et al
_____ 23	D323,199	01/1992	Dalebout et al
_____ 24	D333,330	02/1993	Clem
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_____ 26	D344,557	02/1994	Ashby
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_____ 28	D351,202	10/1994	Bingham
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_____ 30	D361,806	08/1995	Bartlett
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_____ 32	D375,063	10/1996	Stevens
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_____ 34	D387,402	12/1997	Coody et al.
_____ 35	284,294	09/19883	Graves
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_____ 42	1,211,765	01/1917	Schmidt
_____ 43	1,766,089	06/1930	Wood
_____ 44	1,778,635	10/1930	Heisler
_____ 45	1,824,406	09/1931	Petersime
_____ 46	2,067,136	1/1937	Bridenbaugh
_____ 47	2,177,957	05/1938	Heller
_____ 48	2,165,700	07/1939	Glynn

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___ 49	2,219,219	10/1940	Boger
___ 50	2,255,864	09/1941	Stephens
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___ 73	4,113,071	09/1978	Muller et al.
___ 74	4,274,625	06/1982	Gaetano
___ 75	4,344,616	08/1982	Ogden

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_____ 76	4,350,336	09/1982	Hanford
_____ 77	4,363,486	12/1982	Fisher et al.
_____ 78	4,370,766	02/1983	Teague, Jr.
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_____ 101	4,779,845	10/1988	Bartesch et al.
_____ 102	4,792,134	12/1988	Chen

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_____ 104	4,822,029	04/1989	Samo et al.
_____ 105	4,826,152	05/1989	Lo
_____ 106	4,844,449	07/1989	Truslaske
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_____ 112	5,007,630	04/1991	Real et al.
_____ 113	5,062,626	11/1991	Dalebout et al.
_____ 114	5,072,928	12/1991	Sterns et al.
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_____ 121	5,308,301	05/1994	Chiarello
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_____ 128	5,370,594	12/1994	Grinblat
_____ 129	5,378,212	01/1995	Pin-Kou

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_____ 142	5,591,106	01/1997	Dalebout et al.
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_____ 156	5,708,060	01/1998	Sands et al.

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_____ 165	6,273,843	08/2001	Lo
_____ 166	6,325,725	12/2001	Yu
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_____ 169	6,638,200	10/2003	Chang
_____ 170	6,974,404	12/2005	Watterson
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Foreign Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Publication Date</u>	<u>Country or Patent Office</u>	<u>Translation</u>
_____ 172	644,774	07/1962	Canada	N/A
_____ 173	222239	04/1994	China	N/A
_____ 174	223261	05/1994	China	N/A
_____ 175	238211	01/1995	China	N/A
_____ 176	0 095 226	03/1983	EPO	N/A
_____ 177	740 943	08/1932	France	N/A

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_____ 178	1,432,392	05/1965	France	N/A
_____ 179	2 527 457	05/1982	France	N/A
_____ 180	2 677 257	06/1991	France	N/A
_____ 181	1044 355	10/1954	Germany	N/A
_____ 182	1057 928	08/1957	Germany	N/A
_____ 183	2 225 342	12/06/73	Germany	N/A
_____ 184	2408 052 C3	12/1973	Germany	N/A
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_____ 186	15,447	11/1908	Great Britain	N/A
_____ 187	382,340	10/1932	Great Britain	N/A
_____ 188	384,019	12/1933	Great Britain	N/A
_____ 189	1 495 436	12/1977	Great Britain	N/A
_____ 190	81/01960	04/1981	Japan	N/A
_____ 191	1297879 A1	02/1985	Russian	N/A
_____ 192	825122	07/1977	Soviet Union	N/A
_____ 193	1248615	08/1986	Soviet Union	N/A
_____ 194	1 505 702	03/30/78	United Kingdom	N/A
_____ 195	2 152 825 A	08/1985	United Kingdom	N/A
_____ 196	2 212 729 A	08/1989	United Kingdom	N/A
_____ 197	2 274 599 A	08/1994	United Kingdom	N/A

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_____ 198 2 274 600 A 08/1994 United Kingdom N/A

Other Documents

(including author, title, pertinent pages, etc.)

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Publication Date</u>	<u>Country or Patent Office</u>	<u>Translation</u>
_____ 199	AerobicRider Brochure, 4 pages without page numbers.			
_____ 200	Advertisement for Sportmart Health & Fitness for the "The Step" (Sportmart Health & Fitness, January 23, 1993, 1 page).			
_____ 201	Advertisement for "The Step" and "The Step II" (Sears the Great American Wish Book 1991, 2 pages, pp. title page, 600-601).			
_____ 202	Advertisement for "Introducing The New Step Reebok Platform" Designed to Meet the Demands of the Health Club Industry (© 1993 Reebok International Ltd., 1 page).			
_____ 203	Advertisement for "Step II"(Winter 1995 Home Fitness buyers Guide, 2 pages, pp. 69-70).			
_____ 204	Copy of Brochure for Cintas De Footing Spirit, April 2, 1993, 1 page.			
_____ 205	Copy of Brochure for Contour Jogger by BattleCreek Equipment, © 1979 Battle Creek Equipment Company, 2 pages.			
_____ 206	Copy of Brochure for Fitness Equipment & Accessories, 51 pages, pp. 53-57, 64, 67, 70, 72, 76-84, 105, 4-5, 12, 16-32, 37-41, 50, 52(some pages are enclosed without page numbers).			
_____ 207	Copy of Brochure for Fitness Sonner Land, 6 pages without page numbers.			
_____ 208	Copy of Brochure for Flex 'n' Stride, printed July 6, 1993, 5 pages.			
_____ 209	Copy of brochure for Genesis 1000", Technology for Total Fitness entitled "The Optimum Performance Home Fitness Center" (© Genesis, Inc., September 1985, 1 page).			
_____ 210	Copy of brochure for Genesis 2000", Technology for Total Fitness entitled "The Ultimate in Home Exercise Equipment" (© Genesis, Inc., September 1985, 2 pages).			

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- _____ 211 Copy of brochure for Genesis 3000", Technology for Total Fitness entitled "The Dynamic Answer to Home Fitness and Health" (© Genesis, Inc., September 1985, 1 page without page number).
- _____ 212 Copy of brochure for Genesis 4000", Technology for Total Fitness entitled "The Modern Approach to Home Fitness and Health" (© Genesis, Inc., September 1985, 2 pages without page numbers).
- _____ 213 Copy of brochure for Genesis 5000", Technology for Total Fitness entitled "The Advancement In Home Fitness and Convenience" (© Genesis, Inc., 1985, 1 page).
- _____ 214 Copy of brochure for Genesis 6000", Technology for Total Fitness entitled "Maximum Workout in Minimal Space" (© Genesis, Inc., 1985, 1 page).
- _____ 215 Copy of Brochure for JKExer Built For Health, 16 pages without page numbers.
- _____ 216 Copy of Brochure for JKExer Built For Health, 28 pages without page numbers.
- _____ 217 Copy of Brochure page "Treadmills and Benches," for Apache MT-006.
- _____ 218 Copy of Brochure for MacLevy, 5 pages without numbers.
- _____ 219 Copy of Brochure for Otros Productos Sonnen Land, printed April 2, 1993, 1 page.
- _____ 220 Copy of brochure for Quinton Instruments, 1974, 34 pages, pp. title page, 1-32 (some pages are enclosed without pages numbers.)
- _____ 221 Copy of Brochure for Roadmaster Fitness Equipment 1989 (© Roadmaster Corporation 1989, 6 pages).
- _____ 222 Copy of Brochure for Sears.Sport, 6 pages, pp. 498-503.
- _____ 223 Copy of Brochure for Service Merchandise, 3 pages without page numbers.
- _____ 224 Copy of Brochure for SpaceMaker 1000 LS, 1 page without page number.
- _____ 225 Copy of Brochure for Spirit, 8 pages without page numbers.
- _____ 226 Copy of Brochure for Taiwan, 2 pages without page numbers.

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- _____ 227 Copy of brochure entitled "Technology for Total Fitness Genesis 1000", (© 1985 Genesis, Inc.) 6 pages.
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Applicant: William T. Dalebout et al.
Serial No.: 10/083,453
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For: FOLD-OUT TREADMILL

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Att'y Docket No.: 13914.380.1.1.1
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While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

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